

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Original) A semiconductor-based device processing apparatus comprising:
  - a chuck for supporting a wafer; and
  - a barrier having a first position relative to the wafer wherein the first position relative to the wafer substantially facilitates etch uniformity for a chemically driven etch process, and having a second position relative to the wafer wherein the second position relative to the wafer does not interfere with the etch uniformity of an ion driven etch process.
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2. (Currently Amended) The apparatus as recited in claim 1 wherein the barrier [is moved to establish the first and the] has a top surface and the wafer has a top surface wherein in the second position the top surface of the barrier [relative to] is not above the top surface of the wafer.
3. (Original) The apparatus as recited in claim 2 wherein the first position is substantially above the wafer and the second position is substantially below the wafer.
4. (Original) The apparatus as recited in claim 1 wherein the chuck is moved to establish the first and the second position of the barrier relative to the wafer.

5. (Original) The apparatus as recited in claim 1 wherein the barrier surrounds the periphery of the wafer.

6. (Original) The apparatus as recited in claim 1 wherein the barrier is moved between the first and the second position using an actuator.

7. (Original) The apparatus as recited in claim 1 wherein the barrier has a third position.

8. (Previously Amended) A plasma processing apparatus comprising:

a chuck for supporting a wafer; and

a moveable barrier having a first position and a second position, wherein the first position is capable of restricting diffusion of gases over the wafer within the plasma processing apparatus to the wafer and the second position does not substantially prevent the diffusion of gases over the wafer within the plasma processing apparatus.

9. (Original) The apparatus as recited in claim 8 wherein the plasma processing apparatus further comprises an actuator operable to move the moveable barrier between the first position and the second position.

10. (Previously Amended) The apparatus as recited in claim 8 wherein at least a portion of the moveable barrier is within 1/8 inches to 2 inches of the wafer when in the first position.

11. (Original) The apparatus as recited in claim 8 wherein the moveable barrier includes an opening.

12. (Original) The apparatus as recited in claim 8 wherein the moveable barrier shape is relative to the shape of the wafer.

13. (Original) The apparatus as recited in claim 12 wherein the moveable barrier shape is substantially circular.

14. (Previously Amended) The apparatus as recited in claim 8 wherein the barrier is recessed so as to not disturb an ion-assisted etch process.

15. (Currently Amended) The apparatus as recited in claim 8, further comprising a focus ring surrounding the chuck with an upper surface, wherein the barrier is situated below the wafer and within [a] the focus ring such that the barrier is either flush with or below [an] the upper surface of the focus ring in the second position.